

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

SONY MUSIC ENTERTAINMENT, et al.,

Plaintiffs,

v.

TRILLER, INC.,

Defendant.

**Case No. 22-cv-7380 (PKC)**

**~~PROPOSED~~ ORDER APPROVING THE  
PROTOCOL FOR PRODUCING DOCUMENTS AND ESI**

Upon the stipulation of Plaintiffs Sony Music Entertainment, et al. (collectively, “Sony Music”) and Defendant Triller, Inc. (“Defendant”), good cause having been shown, it is hereby ORDERED as follows:

**1. PURPOSE**

This Order will govern discovery of electronically stored information (“ESI”) in this case as a supplement to the Federal Rules of Civil Procedure, this Court’s Guidelines for the Discovery of Electronically Stored Information, and any other applicable orders and rules.

**2. COOPERATION**

The parties are aware of the importance the Court places on cooperation and commit to cooperate in good faith throughout the matter consistent with this Court’s Guidelines for the Discovery of ESI.

### 3. SEARCH

The parties agree that in responding to an initial Fed. R. Civ. P. 34 request, or earlier if appropriate, they will meet and confer about methods to search ESI in order to identify ESI that is subject to production in discovery and filter out ESI that is not subject to discovery.

### 4. PRODUCTION FORMATS

The parties agree to produce documents in ☒ PDF, ☐ TIFF, ☒ native and/or ☐ paper or a combination thereof (check all that apply)] file formats. Documents shall be produced as they are maintained in the ordinary course of business. Emails shall be produced such that their relationship with any family members (e.g., attachments) is clear to the receiving party. Native documents, including all non-email documents, shall be produced as they are maintained, including all properties and metadata (e.g., author and date). If particular documents warrant a different format, the parties will cooperate to arrange for the mutually acceptable production of such documents. The parties agree not to degrade the searchability of documents as part of the document production process.

### 5. DOCUMENTS PROTECTED FROM DISCOVERY

a) Pursuant to Fed. R. Evid. 502(d), the production of a privileged or work-product-protected document, whether inadvertent or otherwise, is not a waiver of privilege or protection from discovery in this case or in any other federal or state proceeding. For example, the mere production of privileged or work-product-protected documents in this case as part of a mass production is not itself a waiver in this case or in any other federal or state proceeding.

b) Communications involving trial counsel that post-date the filing of the complaint need not be placed on a privilege log.

### 6. MODIFICATION

This Stipulated Order may be modified by a Stipulated Order of the parties or by the

Court for good cause shown.

**IT IS SO ORDERED** this 3rd day of March, 2023.



Hon. P. Kevin Castel  
United States District Judge

**STIPULATED AS TO FORM AND SUBSTANCE:**

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